

EXHIBIT 1

INTRODUCTION

Respondent Leonard Robinson has been a member of the Colorado River Board of California (hereinafter the “Board”) since March of 1996. As a member of the Board, Respondent is a designated employee of the Board, as defined in section 82019, subdivision (c) of the Political Reform Act (the “Act”),¹ and in the conflict of interest code for the Board. Pursuant to the provisions of the Board’s conflict of interest code, and the Act, each designated employee of the Board is required to file an annual statement of economic interests by April 1st of each year (unless April 1st falls on a Saturday, Sunday, or official holiday, in which case the filing deadline is extended to the next regular business day)², disclosing his or her reportable investments, business positions, and interests in real property held on, and income received during the preceding calendar year. Under the Board’s conflict of interest code, Respondent was required to file a 2000 annual statement of economic interests by April 2, 2001. Respondent failed to file his 2000 annual statement of economic interests by the April 2, 2001 due date.

The Enforcement Division handled this case on an expedited basis pursuant to the SEI Expedited Procedures adopted by the Commission in July of 1999.

For the purposes of this Stipulation, Respondent’s violation of the Act is stated as follows:

COUNT 1: As a designated employee of the Colorado River Board of California, Respondent Leonard Robinson failed to file a 2000 annual statement of economic interests, by April 2, 2001, in violation of section 87300 of the Government Code.

SUMMARY OF THE LAW

An express purpose of the Act, as set forth in section 81002, subdivision (c), is to ensure that the assets and income of public officials, which may be materially affected by their official actions, be disclosed, so that conflicts of interest may be avoided. In furtherance of this purpose, section 87300 requires every agency to adopt and promulgate a conflict of interest code.

Section 87300, subdivision (a) provides that an agency’s conflict of interest code must specifically designate the employees of the agency who are required to file statements of economic

¹ The Political Reform Act is contained in sections 81000 through 91014 of the Government Code. All statutory references are to the Government Code unless otherwise indicated. The regulations of the Fair Political Practices Commission, enacted pursuant to the provisions of the Act, are contained in sections 18000, *et seq.*, of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

² Regulation 18116.

interests disclosing their reportable investments, business positions, interests in real property, and other income. Under section 82019, subdivision (c), and section 87302, subdivision (a), the individuals who are to be designated in an agency's conflict of interest code are the officers, employees, members, and consultants of the agency, whose position with the agency entails making, or participating in making, governmental decisions that may have a reasonably foreseeable material effect on one or more of the individual's economic interests.

Under section 87302, subdivision (b), an agency's conflict of interest code must require every new designated employee to file an assuming office statement of economic interests within 30 days of assuming office. This subdivision also provides that an agency's conflict of interest code must require every designated employee of the agency to file an annual statement of economic interests, for each year that the employee remains in office, at a time specified in the agency's conflict of interest code, disclosing his or her reportable economic interests from the preceding calendar year.

Section 87300 declares that the requirements of an agency's conflict of interest code have the force of law, and any violation of those requirements is deemed a violation of the Act.

SUMMARY OF THE FACTS

Respondent has been a member of the Colorado River Board of California since March of 1996. As a member of the Board, Respondent is a designated employee of the Board, as defined in Section 82019, and in the Board's conflict of interest code.

Under the Board's conflict of interest code, Respondent is required to file an annual statement of economic interests, for each year that he serves as a member of the Board, by April 1st of the following year (unless April 1st falls on a Saturday, Sunday, or official holiday, in which case the filing deadline is extended to the next regular business day).

On February 23, 2001, the Board's Executive Director, Gerald Zimmerman, sent a letter to Respondent, reminding him that his 2000 annual SEI was coming due. On March 30, 2001, Mr. Zimmerman sent another letter to Respondent, requesting that he submit his annual SEI. In spite of these reminders, Respondent failed to file his 2000 annual SEI by the April 2, 2001, due date, in violation of section 87300. After the filing deadline had passed, Mr. Zimmerman sent another letter to Respondent on April 6, 2001, stating that Respondent's 2000 annual SEI was past due. Mr. Zimmerman then referred the matter of Respondent's failure to file a 2000 annual SEI to the Fair Political Practices Commission.

On May 23, 2001, Staff Services Analyst Cyndi Glaser, of the Technical Assistance Division of the Fair Political Practices Commission, sent a letter to Respondent, informing him that his 2000 annual SEI was past due, and must be filed immediately. On July 19, 2001, Ms. Glaser sent another letter to Respondent, reminding him that his 2000 annual SEI still had not been filed.

On August 27, 2001, Investigator Dan Schek of the Enforcement Division of the Fair Political

Practices Commission attempted to contact Respondent by telephone at Respondent's business, and left a voicemail message for Respondent advising him to file his 2000 annual SEI. On August 29, 2001, Mr. Schek faxed a copy of the SEI form to Respondent and again urged him to file. On September 5, 2001, Respondent filed his 2000 annual SEI.

CONCLUSION

This matter consists of one count of violating Section 87300, which carries a maximum administrative penalty of Five Thousand Dollars (\$5,000). However, under the SEI Expedited Procedures adopted by the Commission in July 1999, the approved administrative penalty for an individual who files a delinquent SEI within 30 days of being contacted by the Enforcement Division is between Two Hundred and Three Hundred Dollars (\$200-\$300).

The facts of this case, including Respondent's quick reply to Investigator Schek's call, justify imposition of the agreed upon penalty of Two Hundred Dollars (\$200).